THE HON'BLE SRI JUSTICE C.V.RAMULU

W.P.No.4379 of 2005

ORAL ORDER:

This writ petition is filed with an apprehension that the respondents are going to conduct elections to the post of President, Mandal Parishad as per the notification dated 19.7.2001 without a proposer or a seconder in contravention of the Rules 12 and 13 made under G.O.Ms.No.756, Panchayat Raj and Rural Development Department dated 30.11.1994.

While admitting the writ petition on 4.3.2005, this Court was not inclined to grant directions as prayed for on the basis of mere apprehension of the petitioners that the fourth respondent is going to hold elections in contravention of Rule 12 and 13 made under G.O.Ms.No.756 dated 30.11.1994. That apart, even assuming that the election is held on contravention of the statutory rules, a specific remedy is available under Section 233 of the A.P. Panchayat Raj Act, 1994 by way of Election Petition before the Election Tribunal, hence dismissed the petition.

Now a detailed counter affidavit has been filed by third respondent. At para 13 of the said counter, it is stated that as per the Circular issued by the Election Commission dated 19.7.2001, elections were conducted for Elkathurthy Mandal President on 5.3.2005 as per notification vide No.1184/sec/B-1/2004 dated 25.2.2005 and Smt.Mekala Komala-5th respondent was declared as elected and she assumed charge of office as President, Mandal Parishad, Elkathurthy.

In view of the same, nothing remains in the writ petition for adjudication. Accordingly, the writ petition is dismissed. No order as to costs.

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C.V.RAMULU, J

Date: 25.7.2007

DA

THE HON'BLE SRI JUSTICE C.V.RAMULU

W.P.No.4379 of 2005

25.7.2007

IN THE HIGH COURT OF JUDICATURE OF ANDHRA PRADESH
AT HYDERABAD

THE HON'BLE SRI JUSTICE C.V. RAMULU

W.P.No.4379 of 2005

Date: 25th July, 2007

Between:

S.Ravinder & others.

.. Petitioners

And

State Election Commission,
represented by its Secretary,
Budhabhavan, Hyderabad & others.

.. Respondents